

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

HERBERT and DORIS STEELE, ERIC R.)	
CHAVEZ, ALEXANDRA DIAZ AND)	
SONIA TORRES, on behalf of themselves)	
and all others similarly situated,)	
)	
Plaintiffs,)	Case No. 08-cv-01880
)	
v.)	Judge Blanche M. Manning
)	
GE MONEY BANK, a federal savings bank;)	Magistrate Judge Martin C. Ashman
WMC MORTGAGE CORPORATION and)	
WMC MORTGAGE, LLC,)	
)	
Defendants.)	

**GE MONEY BANK'S MOTION TO DISMISS FOR FAILURE
TO STATE A CLAIM PURSUANT TO RULE 12(b)(6), OR, IN THE
ALTERNATIVE, TO STRIKE CERTAIN ALLEGATIONS PURSUANT TO RULE 12(f)**

Defendant GE Money Bank ("GEMB"), by its attorneys, hereby respectfully submits its Motion to Dismiss for Failure to State a Claim Pursuant to Rule 12(b)(6), or, in the Alternative, to Strike Certain Allegations Pursuant to Rule 12(f). For the reasons stated in GEMB's Memorandum in Support of Its Motion to Dismiss, served together herewith, and those reasons stated in WMC Mortgage, LLC's motion to dismiss, this motion should be granted.

WHEREFORE, GEMB respectfully requests that the Court enter an Order:

- (a) Granting GEMB's Motion to Dismiss for Failure to State a Claim Pursuant to Rule 12(b)(6), dismissing Plaintiffs' Amended Class Action Complaint in its entirety against GEMB; or
- (b) Alternatively, granting GEMB's Motion to Strike Certain Allegations Pursuant to Rule 12(f), striking the Amended Class Action Complaint's class allegations with respect to GEMB; and

(c) Awarding GEMB such other and further relief deemed just and proper.

Respectfully submitted,

GE MONEY BANK

By: s/ Kristen Werries Collier
One of Its Attorneys

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CERTIFICATE OF SERVICE

Kristen Werries Collier, an attorney, hereby certifies that, on July 11, 2008, she caused a true and correct copy of the foregoing GE Money Bank's Motion to Dismiss for Failure to State a Claim Pursuant to Rule 12(b)(6), or, in the Alternative, to Strike Certain Allegations Pursuant to Rule 12(f), to be filed electronically with the Court's CM/ECF system, and that notice of this filing was sent by electronic mail to all parties by operation of the Court's electronic filing system or by mail to anyone unable to receive electronic filings as indicated on the Notice of Electronic Filing. Parties may access this filing through the Court's CM/ECF system.

s/ Kristen Werries Collier